

REMARKS

Claims 1-38 are all the claims pending in the application.

Claim rejection under 35 U.S.C. § 102

Claims 1, 3, 4, 5-10, 13-15, 17-27 and 38 are rejected under 35 U.S.C. § 102(b) as being anticipated by Anderson, Sr. (U.S. Pat. No. 6,522,629).¹ Applicants traverse the rejection for at least the following reasons.

Claim 1

Claim 1 recites, *inter alia*, “dynamically adapting at least one parameter of said algorithm as a function of a traffic model representative of traffic present, wherein said traffic model includes one or more parameters representative of at least one type of traffic present.”

Anderson is directed to management and control of broadband integrated services performed via digital, channelized, packetized or optically coded networks (column 1, lines 1-15). Anderson discloses a signaling manager that manages virtual (logical) circuit paths, and virtual channels (column 5, lines 11-12), a provisional manager that provisions element for non-real time circuits in the packet network (column 5, lines 26-27) and a traffic manger that drives the signaling manager per traffic control rules and information received from the provisioning manger (column 5, lines 39-41).

¹ Applicants note that the Examiner only lists claim 1 in the statement of rejection. However, in the detailed action, the Examiner asserts that Anderson allegedly discloses the features of claims 3, 4, 5-10, 12-15, 17-27 and 38.

Anderson discloses that the traffic manager distributes the traffic load across the network. Anderson discloses Erlang and Poisson-type tables, which are based on real time empirical data gathered from testing, are provided for broadband traffic. Moreover, Anderson discloses that the traffic loading data is collected from network and sent to traffic manger for computation. The data computations are then employed in connection with the models the traffic managers uses. (column 12, line 66 - column 12, line 14). However, Anderson does not disclose “dynamically adapting at least one parameter of said algorithm as a function of a traffic model representative of traffic present.”

In particular, in column 12, lines 3-14, Anderson merely discloses that the data computations are then employed in connection with basic models that the traffic manger uses. However, in the portion cited by the Examiner, Anderson does not disclose **admission control algorithm**. Consequently, Anderson also does not disclose dynamically adapting at least one of the parameters of the admission control algorithm. That is, the traffic loading information computed using the real time empirical data does not disclose **admission control algorithm** and dynamically adapting one of the parameter of the admission control algorithm as a function of a traffic model representing the traffic present.

Furthermore, in column 15, line 46 - column 16, line 43, Anderson discloses a connection admission control (“CAC”) algorithm. However, Anderson does not disclose dynamically adapting at least one of the parameters of the admission control algorithm.

Specifically, Anderson discloses that the CAC computes the equivalent bandwidth value for a circuit based upon the traffic parameters requested, acceptable cell delays, and acceptable

cell loss ration (column 16, lines 23-25). Therefore, Anderson merely discloses CAC computing equivalent bandwidth value based on traffic parameters and does not discloses one of the parameter of the said algorithm is dynamically adapted as a function of a traffic model.

In addition, Applicants submit that Anderson discloses that the traffic parameters include peak cell rate, average cell rate, cell delay etc., but does not discloses said **traffic model** includes one or more parameters representative of at least on type of traffic present. That is, column 16, lines 4-7 of Anderson does not disclose any relationship between traffic model and the parameters corresponding to the traffic. In fact, Anderson does not even mention traffic model in the portion cited by the Examiner.

In view of the above, Applicants submit that claim 1 is allowable over the cited reference.

Claims 3, 5-10, 13-15, 17-27 and 38

Applicants submit that claims 3, 5-10, 13-15, 17-27 and 38 depend from claim 1, and therefore are allowable at least by virtue of their dependency.

With regard to claim 38, we would submit that in column 12, lines 3-14, Anderson does not disclose adapting the at least one parameter of **said algorithm** as a function of **a plurality of traffic model** representative of the traffic present. Moreover, Anderson does not that each of the traffic models of the plurality of traffic models is based on **different** traffic behavior.”

Claims 4

Applicants submit that claim 4 recites subject matter analogous to claim 1, and therefore is also allowable for at least the analogous reasons claim 1 is allowable.

Furthermore, claim 4, *inter alia*, recites, “wherein parameters representative of a type of traffic include parameters representative of quality of service (QoS) requirements for the type of traffic, and wherein parameters representative of quality of service requirements include a maximum transmission time-delay and a probability that the transmission time-delay will be greater than that maximum transmission time-delay.”

The Examiner does not indicate where Anderson discloses the features recited above. As such Applicants request the Examiner to point out where Anderson discloses the above recited features.

Claim rejection under 35 U.S.C. § 103

Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson, Sr. (U.S. Patent No. 6,522,629) in view of Kola et al. (U.S. Pub No. 2004/0213165). Applicants traverse the rejection for at least the following reasons.

Claim 11 and 12

Applicants submit that since claims 11 and 12 depend from claim 1 and since Kola does not cure the deficiency noted above with respect to claim 1, claims 11 and 12 are allowable over the cited references

Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson, Sr. (U.S. Patent No. 6,522,629) in view of Bjoerkman et al. (U.S. Pub. 2005/0152272). Applicants traverse the rejection for at least the following reasons.

Claim 16

Applicants submit that since claim 16 depends from claim 1 and since Bjoerkman does not cure the deficiency noted above with respect to claim 1, claim 16 is allowable over the cited references

Claims 28-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson, Sr. (U.S. Pat. No. 6,522,629) in view of Vilander et al. (U.S. Pub. No. 2004/0010609).² Applicants traverse the rejection for at least the following reasons.

Claims 28-37

Applicants submit that since claims 28-37 depend from claim 1 and since Vilander does not cure the deficiency noted above with respect to claim 1, claims 28-31, 22 and 34-36 are allowable over the cited references.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

² Applicants note that the Examiner only lists claims 28-31, 33 and 34-36 in the statement of rejection. However, in the detailed action, the Examiner asserts that Anderson and Vilander allegedly discloses the features of claims 32 and 37.

RESPONSE UNDER 37 C.F.R. § 1.111
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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